10533940 - GAU: 3771 Resoirt date: 10/04/2010

ATTY. DOCKET NO. SERIAL NO. **INFORMATION DISCLOSURE CITATION** 4398-207 10/533,940 APPLICANT KENYON et al. (Use several sheets if necessary) FILING DATE GROUP December 29, 2006 3771

U.S. PATENT DOCUMENTS

			ALEM BOOOMENTO			
*EXAMINER						FILING DATE
INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	IF APPROPRIAT
	US 2003/0208465 A1	11/2003	YURKO et al.			
	Des. 419,658	01/2000	MATCHETT et al.			
	5,482,031	01/1996	LAMBERT			
	5,564,415	10/1996	DOBSON et al.			
	5,588,423	12/1996	SMITH			
	5,598,837	02/1997	SIRIANNE, JR. et al.			
	5,655,522	08/1997	MECHLENBURG et al.			
	5,673,687	10/1997	DOBSON et al.			
	6,189,870	02/2001	WITHALL			
	6,202,991	03/2001	CONIGLIO et al.			
	6,397,841	06/2002	KENYON et al.			
	6,398,197	06/2002	DICKINSON et al.			
	6,435,180	08/2002	HEWSON et al.			
	7,096,864	08/2006	MAYER et al.			
	7,111,624	09/2006	THUDOR et al.			
	7,413,173	08/2008	DiMATTEO et al.			
	7,478,635	01/2009	WIXEY et al.			
	7,616,871	11/2009	KRAMER			
	7,677,246	03/2010	KEPLER et al.			

FOREIGN PATENT DOCUMENTS

					TRANSL	ATION.
 DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS	YES	NO
DE102005007773 A1	09/2005	GERMANY			ABSTRACT	
WO 01/73653 A1	10/2001	PCT				
WO 2009/156921 A1	12/2009	PCT				
 OTHER DOCUME	NTS (inclu	ding Author Title Date Pertinent nage	e etc)			

OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)
Breas Medical AB "iSleep® 20" Brochure, 12/2007, 2 pages
Fisher & Paykel Healthcare "SleepStyle™ 200 CPAP Series" Specification Sheet, 1998, 4 pages
Fisher & Paykel Healthcare "SleepStyle™ 600 CPAP Series" Specification Sheet, 2005, 4 pages
Fisher & Paykel Healthcare "Two Easy Steps to Comfort, Humidification and Nasal CPAP Therapy, 8/1995, 4 pages
Hoffrichter GmbH "VECTOR therapy in perfection" Brochure, 2002, 2 pages
MAP Medizin-Technologie GmbH "minni Max nCPAP®, The respiratory therapy device with out an integrated
humidifier", 12/2003, 17 pages
MAP Medizintechnik fuer Arzt und Patient "max II nCPAP moritz II biLevel – The gentle therapy for sleep-related
breathing disorders" Brochure, 2000, 4 pages
Respironics "System One Heated Humidifier User Manual", 5/2009, 20 pages
ResMed, "The SULLIVAN® HumidAire™", 1997, 1 page
J. H. Emerson Co., Cough Assist, "Non-Invasive Removal of Bronchial Secretions," 2 pages

*F	/Rachel Young/	D + 0 · · · ·	10/07/2010					
*Examiner	•	Date Considered						
Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Initial a								
copy of this form with next communication	copy of this form with next communication to applicant.							

Receipt date: 10/04/2010 Sheet 2 of 7 1053394BBBBBL 3771

INFORMATION DISCLOSURE **CITATION**

ATTY. DOCKET NO. SERIAL NO.

4398-207 10/533,940

APPLICANT

KENYON et al.

FILING DATE (Use several sheets if necessary) TC/A.U.

> **December** 29, 2006 3771

U.S. PATENT DOCUMENTS

		U.S.	PATENT DOCUMENTS		
*EXAMINER					FILING DATE
INITIAL	DOCUMENT NUMBER	DATE 04/1987	NAME MILLER	CLASS	SUBCLASS IF APPROPRIAT
	4,657,713				
	4,753,758	06/1988	MILLER	_	
	4,906,417	03/1990	GENTRY		
	4,913,140	04/1990	OREC et al.		
	4,921,642	05/1990	LATORRACA		
	4,993,411	02/1991	CALLAWAY		
	5,231,979	08/1993	ROSE et al.		
	5,445,143	08/1995	SIMS		
	5,537,997	07/1996	MECHLENBURG et al.		
	5,558,084	09/1996	DANIELL et al.		
	5,564,415	10/1996	DOBSON et al.		
	5,598,837	02/1997	SIRIANNE et al.		
	5,637,687	10/1997	DOBSON et al.		
	5,916,493	06/1999	MILLER et al.		
	5,943,473	08/1999	LEVINE		
	6,131,571	10/2000	LAMPOTANG et al.		
	6,135,432	10/2000	HEBBLEWHITE et al.		
	6,435,180	08/2002	HEWSON et al.		
	6,554,260	04/2003	LIPSCOMBE et al.		
	6,718,974	04/2004	MOBERG		
	6,910,483	06/2005	DALY et al.		
	6,918,389	07/2005	SEAKINS et al.		
	6,935,337	08/2005	VIRR et al.		
	7,137,388	11/2006	VIRR et al.		

FOREIGN PATENT DOCUMENTS

DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS	TRANSI	
 DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS	YES	NO
 DE 19630466	02/1998	GERMANY			ABSTRACT	
DE 3789221	08/1994	GERMANY			ABSTRACT	
DE 9409231.1	12/1994	GERMANY			MACHINE	
EP 0589 429	03/1994	EUROPE				
EP 1 055 431	11/2000	EUROPE				
WO 00/32261	06/2000	PCT				
WO 01/10489 A2	02/2001	PCT			YES-FULL	
WO 98/57691	12/1998	PCT				
WO 99/64747	12/1999	PCT				

10/07/2010 /Rachel Young/ *Examiner Date Considered

Receipt date: 10/04/2010 1053394(sb)@AU: 3771

Sheet 3 of 7

INFORMATION DISCLOSURE CITATION

ATTY. DOCKET NO. SERIAL NO.

4398-207 10/533,940

APPLICANT

KENYON et al.

(Use several sheets if necessary) FILING DATE TC/A.U.

December 29, 2006 3771

U.S. PATENT DOCUMENTS

		0.5.	PATENT DOCUMENTS		
*EXAMINER					FILING DATE
<u>INITIAL</u>	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS IF APPROPRIA
	US-2002/0020930 A1	02/2002	AUSTIN et al.		
	US-2002/0056453	05/2002	KLOPP et al.		
	US-2003/0084900	05/2003	LeCLERC et al.		
	D468,011	12/2002	LYNCH et al.		
	D468,017	12/2002	McCOMBS		
	D487,311	03/2004	LITHGOW et al.		
	D467,335	12/2002	LITHGOW et al.		
	D454,393	03/2002	LYNCH et al.		
	D493,520	07/2004	BERTINETTI et al.		
	D498,527	11/2004	VIRR et al.		
	D493,884	08/2004	VIRR et al.		
	1,974,843 A	09/1934	BLASHFIELD		
	3,806,102 A	04/1974	VALENTA et al.		
	4,523,896	06/1985	LHENRY et a.		
	4,946,348	08/1990	YAPP		
	5,127,800	07/1992	HYLL et al.		
	5,888,053	03/1999	KOBAYASHI et al.		
	6,514,053	02/2003	TAKURA et al.		
	6,718,974	04/2004	MOBERG		
	6,772,999	08/2004	LIPSCOMBE et al.		
	6,827,340	12/2004	AUSTIN et al.		
	6,874,771	04/2005	BIRDSELL et al.		
	6,935,337	08/2005	VIRR et al.		
	7,614,398 B2	11/2009	VIRR et al.		

FOREIGN PATENT DOCUMENTS

					TRANSI	ATION
DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS	YES	NO
DE 275612	01/1913	GERMANY				
DE 30 05 094	08/1981	GERMANY				
EP 1318307	06/2003	EUROPE				
WO 98/31937	07/1998	PCT				
WO 98/33433	08/1998	PCT				
WO 99/13932	03/1999	PCT				
WO 00/42324	07/2000	PCT			ABSTRACT	
WO 02/066107 A1	08/2002	PCT				

OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)

			_
*Examiner	/Rachel Young/	Date Considered	10/07/2010

Receipt date: 10/04/2010 1053394(sb)@AU: 3771

Sheet 4 of 7

INFORMATION DISCLOSURE CITATION

ATTY. DOCKET NO. SERIAL NO.

4398-207 10/533,940

APPLICANT

KENYON et al.

(Use several sheets if necessary) FILING DATE TC/A.U.

December 29, 2006 3771

U.S. PATENT DOCUMENTS

		0.0.	I ATEM DOCUMENTS			
*EXAMINER						FILING DATE
INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	IF APPROPRIATE
	3,690,317	09/1972	MILLMAN			
	3,864,440	02/1975	GIOCOECHEA			
	4,051,205	09/1977	GRANT			
	4,222,971	09/1980	EILERT			
	4,237,080	12/1980	ELLIOTT			
	4,243,396	01/1981	CRONENBERG			
	4,336,798	06/1982	BERAN			
	4,621,632	11/1986	BARTELS et al.			
	4,838,258	06/1989	DRYDEN et al.			
	4,941,469	07/1990	ADAHAN			
	5,097,424	03/1992	GINEVRI et al.			
	5,329,939	07/1994	HOWE			
	5,443,061	08/1995	CHAMPAIN et al.			
	5,558,084	09/1996	DANIELL et al.			
	5,564,415	10/1996	DOBSON et al.			
	5,577,496	11/1996	BLACKWOOD et al.			
	5,848,592	12/1998	SIBLEY			
	6,332,462	12/2001	KROHN			
İ	6,397,841	06/2002	KENYON et al.			
	6,435,180	08/2002	HEWSON et al.			

FOREIGN PATENT DOCUMENTS

DOCUMENT	DATE	COLINITOV	CL A CC	CURCLACC	TRANSL	
DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS	YES	NO
 DE 3623162 A1	07/1986	GERMANY			ABSTRACT	
DE 9014848.7	03/1991	GERMANY				
DE 4138098 C2	11/1991	GERMANY			ABSTRACT	
DE 4244493 A1	07/1993	GERMANY				
DE 19515739 C2	05/1995	GERMANY			ABSTRACT	
DE 29817685	10/1998	GERMANY				
DE 69409024 T2	11/1998	GERMANY			ABSTRACT	
EP 0201985	11/1986	EUROPE				
EP 0274996 B1	07/1988	EUROPE				
EP 0274996 A2	07/1988	EUROPE				
EP 0845277 A2	06/1998	EUROPE				
JP 11-398 A	01/1999	JAPAN			Х	
OTHER ROOM	NITO /: I	-1: A41 T:41- D-4- D-44:4				

OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)

Office Action from corresponding European Appln. No. 04737434.3, mailed April 14, 2010, 8 pages
Office Action from corresponding European Appln. No. 04737434.3, mailed April 26, 2010, 8 pages

*Examiner /Rachel Young/ Date Considered 10/07/2010

Receipt date: 10/04/2010 Sheet 5 of 7 1053394BBBBBL 3771

INFORMATION DISCLOSURE	ATTY. DOCKET NO.	SERIAL NO.	
CITATION	4398-207	10/533,940	
	APPLICANT		
	KENYON et al.		

TC/A.U. (Use several sheets if necessary) FILING DATE

> **December** 29, 2006 3771

U.S. PATENT DOCUMENTS

		0.0.				
*EXAMINER						FILING DATE
INITIAL	DOCUMENT NUMBER	DATE	NAME EARRIGIA -4 -1	CLASS	SUBCLASS	IF APPROPRIATE
	US-2005/0005937	01/2005	FARRUGIA et al.			
	US-2004/0035422	02/2004	TRUITT et al.			
	US-2007/0036662	02/2007	PENSOLA et al.			
	US-2005/0103339 A1	05/2005	DALY et al.			
	US-2002/0159897	10/2002	KEGG et al.			
	US-2005/0217673 A1	10/2005	DALY et al.			
	2,220,669	11/1940	ALLEN			
	2,945,619	07/1960	BALLARD			
	3,171,353	03/1965	McMAHAN			
	3,612,710	10/1971	MOUNT			
	3,620,638	11/1971	KAYE et al.			
	4,037,994	07/1977	BIRD			
	4,576,616	03/1986	MOTTRAM et al.			
	6,109,865	08/2000	ISHIKAWA			
	6,158,978	12/2000	NORBURY, JR.			
	6,210,116	04/2001	KUCZAJ et al.			
	6,216,691	04/2001	KENYON et al.			
	6,257,171	07/2001	RIVARD			
	6,349,724	02/2002	BURTON et al.			
	6,471,493	10/2002	CHOI et al.			
	6,622,724	09/2003	TRUITT et al.			
	6,672,300	01/2004	GRANT			
	6,837,260	01/2005	KUEHN			
	6,896,478	05/2005	BOTROS et al.			

FOREIGN PATENT DOCUMENTS

					TRANSL	ATION
DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS	YES	NO
DE 10016005 A1	12/2001	GERMANY			YES	
DE 29909611 U1	10/1999	GERMANY			YES	
DE 3823242 A1	02/1990	EUROPE			ABSTRACT	
EP 0903160 A1	03/1999	EUROPE				
EP 1023912 A2	08/2000	EUROPE			ABSTRACT	
GB 2177006 A	01/1987	GREAT BRITAIN			ABSTRACT	
WO 95/15778	06/1995	PCT				
WO 97/32619	09/1997	PCT			ABSTRACT	

OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)

10/07/2010 /Rachel Young/

*Examiner Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include

 Receipt date: 10/04/2010
 1053**394(\$B)(@AU**: 3771

 INFORMATION DISCLOSURE
 ATTY. DOCKET NO.
 SERIAL NO.

U.S. PATENT DOCUMENTS

U.S. PATENT DOCUMENTS						
*EXAMINER						FILING DATE
INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	IF APPROPRIATE
	US-2007/0134085 A1	06/2007	DALY et al.			
	US-2006/0191531 A1	08/2006	MAYER			
	US-2006-0237005 A1	10/2006	VIRR et al.			
	RE19,826	01/1936	AISENSTEIN			
	3,316,910	05/1967	DAVIS			
	4,105,372	08/1978	MISHINA et al.			
	4,171,190	10/1979	HUDSON			
	4,229,142	10/1980	LE DALL et al.			
	4,532,088	07/1985	MILLER			
	4,802,819	02/1989	BEVINGTON			
	4,807,616	02/1989	ADAHAN			
	4,926,856	05/1990	CAMBIO et al.			
	4,953,546	09/1990	BLACKMER et al.			
	5,271,391	12/1993	GRAVES			
	5,391,063	02/1995	HANTLE et al.			
	6,129,524	10/2000	WOLLENWEBER et al.			
	6,213,119	04/2001	BRYDON et al.			
	•			•	•	

FOREIGN PATENT DOCUMENTS

					TRANSL	
 DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS	YES	NO
JP 7-145795 A	06/1995	JAPAN			ABSTRACT	
JP 2002-206498 A	07/2002	JAPAN			ABSTRACT	
WO 02/02169 A1	01/2002	PCT				
WO 99/22794	05/1999	PCT				
				•	•	

OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)

		1	
	/Rachel Young/		10/07/2010
*Examiner	v	Date Considered	10/01/2010

105339468B/66AU: 3771 Receipt date: 10/04/2010 Sheet 7 of 7 ATTY. DOCKET NO. SERIAL NO. INFORMATION DISCLOSURE **CITATION** 4398-207 10/533,940 **APPLICANT KENYON** et al. FILING DATE (Use several sheets if necessary) TC/A.U. **December** 29, 2006 3771 **U.S. PATENT DOCUMENTS** *EXAMINER FILING DATE DOCUMENT NUMBER DATE NAME CLASS SUBCLASS INITIAL IF APPROPRIATE 5,237,987 08/1993 ANDERSON et al. 3,584,401 06/1971 CRYER et al **FOREIGN PATENT DOCUMENTS** TRANSLATION DOCUMENT DATE COUNTRY CLASS SUBCLASS YES NO DE 93 17 450 06/1994 **GERMANY** EP 0 893 750 01/1999 **EUROPE** ABSTRACT EP 1 374 938 01/2004 **EUROPE**

WO 2007/019628 02/2007 **PCT** WO 2009/059359 05/2009 **PCT** PCT WO 2010/092496 08/2010 OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.) HOFFRICHTER MEDIZINTECHNIK GmbH, "SANDMANN CPAP – THERAPIE IN PERFEKTION" brochure, 32 pages, March 1998 Madaus Schwarzer Medizintechnik, "New Approaches in Diagnosis and Therapy - Moritz biLevel User Manual", May 1994, 38 pages MAP Medizintechnik, "minni Max nCPAP®" brochure, 12 pages, March 2005 MAP Medizintechnik, "Moritz II biLEVEL® - The gentle therapy for sleep-related breathing disorders" brochure, 6 pages, January 2001 Photos of MAP Humidifier and Tub, 2 pages and cover sheet, undated Madaus Schwarzer Medizintechnik, "New Approaches in Diagnosis and Therapy – Max nCPAP User Manual", March 1994, 38 pages ResMed "Sullivan® HumidAire® User's Instructions", 8 pages, undated MAP Medizin-Technologie GmbH, Moritz®S/Moritz®ST – Sailing toward therapeutic success...", 4 pages, undated Hoffrichter "VECTOR CPAP – THERAPY WITH TECHNICAL MASTERY", 4 pages, October 1998 Fischer & Paykel, "TWO EASY STEPS TO COMFORT", 4 pages, August 1995 Australian Office Action for corresponding AU Appln. No. 2004248855, Mailed Nov. 6, 2009, 5 pages Australian Office Action for corresponding AU Appln. No. 2010201899, Mailed June 10, 2010, 5 pages Examiner Summary from Meeting corresponding AU Appln. No. 2010201899, August 12, 2010, 3 pages

*Examiner /Rachel Young/ Date Considered 10/07/2010